

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

UNITED STATES OF AMERICA

vs.

CASE NO. 3:99CR00344-002 (PG)

DIANA CENTENO-SALOME

* * * * *

MOTION NOTIFYING VIOLATIONS OF
SUPERVISED RELEASE CONDITIONS AND THE REQUEST
FOR THE ISSUANCE OF A WARRANT

TO THE HONORABLE JUAN M. PEREZ-GIMENEZ
U.S. DISTRICT JUDGE
DISTRICT OF PUERTO RICO

COMES NOW, Martín De Santiago, U.S. PROBATION OFFICER of this Court, presenting an official report on the conduct and attitude of releasee, Diana Centeno-Salome, who on May 11, 2001, was sentenced to forty-six (46) months of imprisonment and five (5) years supervised release with special conditions of drug testing, and substance abuse treatment, if warranted, as well as financial disclosure. On August 15, 2003, she was released from custody and her five-year supervised release term began.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE
AS FOLLOWS:

Since her release from custody, the offender has violated the following supervision conditions:

1. CONDITION NO. 2 - "YOU SHALL REPORT TO THE PROBATION OFFICER AND SHALL SUBMIT A TRUTHFUL AND COMPLETE WRITTEN REPORT WITHIN THE FIRST FIVE DAYS OF EACH MONTH."

The offender has not submitted her monthly supervision report for February 2005 as of this date.

3. CONDITION NO. 3 - "YOU SHALL ANSWER TRUTHFULLY ALL INQUIRIES BY THE PROBATION OFFICER AND FOLLOW THE INSTRUCTIONS OF THE PROBATION OFFICER."

Mrs. Centeno-Salome was asked by the undersigned if she had used controlled substances, including cocaine, on both occasions that she tested positive and she both asserted that she had not used cocaine. Furthermore, she failed to follow our instructions by not showing up to our office to provide urine specimens on February 17 and 28; and March 3, 2005, and for office appointment on March 7 and 8, 2005.

2. CONDITION NO. 7 - "YOU SHALL REFRAIN FROM EXCESSIVE USE OF ALCOHOL AND SHALL NOT PURCHASE, POSSESS, USE, DISTRIBUTE, OR ADMINISTER ANY CONTROLLED SUBSTANCE OR ANY PARAPHERNALIA RELATED TO ANY CONTROLLED SUBSTANCES, EXCEPT AS PRESCRIBED BY A PHYSICIAN."

The offender tested positive to cocaine on February 3 and 18, 2005. Subsequently, she was placed in an intensive drug testing program and referred to one of our contracted drug treatment providers.

3. SPECIAL CONDITION - "IF ANY DRUG TEST SAMPLES DETECT SUBSTANCE ABUSE, THE DEFENDANT SHALL PARTICIPATE IN A SUBSTANCE ABUSE PROGRAM ARRANGED AND APPROVED BY THE PROBATION UNTIL DULY DISCHARGED BY AUTHORIZED PROGRAM PERSONNEL WITH THE APPROVAL OF THE U.S. PROBATION OFFICER."

The offender was referred to one of our out-patient substance abuse treatment providers on February 3, 2005. Mrs. Centeno-Salome

stopped attending and engaging drug treatment on or about February 14, 2005.

WHEREFORE, I declare under a penalty of perjury that the foregoing is true and correct, and it is respectfully requested, unless ruled otherwise, that a warrant of arrest be issued so that the offender may be brought before this Court to show cause why her supervision term should not be revoked. Thereupon, she be dealt with pursuant to law.

In San Juan, Puerto Rico, this 11th day of March 2005.

Respectfully submitted,

EUSTAQUIO BABILONIA, CHIEF
U.S. PROBATION OFFICER

s/Martin De Santiago

Martin De Santiago

U.S. Probation Officer

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CERTIFICATE OF SERVICE

I HEREBY certify that on March 11, 2005, I electronically filed the foregoing motion with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

José A. Ruiz-Santiago, Assistant U.S. Attorney, and Eric M. Quetglas-Jordan, Esq.

In San Juan, Puerto Rico, this 11th day of March 2005.

s/Martin De Santiago
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